

**REMARKS****Claim Amendments**

Claims 1-58 are cancelled. Applicants reserve the right to file a divisional or continuing application, or take such other appropriate action as deemed necessary to protect the inventions. Applicants do not hereby abandon or waive any rights in the inventions as claimed in Claims 1-58.

Claims 60-62 are amended to claim subject matter indicated to be allowable by the Examiner in the Office Action mailed from the U.S. Patent and Trademark Office on July 1, 2003. Support for these amendments can be found throughout the specification, for example, at page 5, lines 1-17 and Figures 6A-D.

No new matter is added.

**Rejection of Claim 1 Under 35 U.S.C. § 112, First Paragraph**

Claim 1 is rejected by the Examiner under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner alleges that the previous amendment of Claim 1 introduced new matter into the claim by presenting additional limitations regarding specific combinations of the recited cytokines that were not supported by the specification as originally filed.

Applicants respectfully disagree. However, in view of Applicants' cancelling of Claim 1, the rejection is moot. Reconsideration and withdrawal of the rejection is respectfully requested.

**Rejection of Claims 1, 2, 5, 16 and 57-58 Under 35 U.S.C. § 102(b)**

Claims 1, 2, 5, 16 and 57-58 are rejected by the Examiner as being anticipated by Goulin *et al.* (*J. Neurosci. Res.*, February 15, 1996). Specifically, the Examiner alleges that the teachings of Goulin *et al.* meet the "material limitations of Claims 1, 2, 5, 57 and 59 [*sic*]." Applicants respectfully disagree, however, in view of Applicants' cancellation of Claims 1-58, the rejection is moot. Reconsideration and withdrawal of the rejection is respectfully requested.

Rejection of Claims 1, 2, 5, 16, 57, 58 and 60-62 Under 35 U.S.C. § 112, Second Paragraph

Claims 1, 2, 5, 16, 57, 58 and 60-62 are rejected by the Examiner under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

In light of Applicants' cancellation of Claims 1-58, the rejection of these claims is moot. With respect to Claims 60-62, the Examiner alleges that the phrase "functionally active derivatives or parts thereof" is vague and ambiguous. Applicants respectfully disagree, however, in view of Applicants' amendments to Claims 60-62 which removes this phrase, the rejection is moot. Reconsideration and withdrawal of the rejection is respectfully requested.

Allowable Subject Matter

Applicants thank the Examiner for advising that claims directed to "a composition consisting of GDNF and TGF- $\beta$ ," "a composition consisting essentially of GDNF and TGF- $\beta$ ," and "a composition consisting of GDNF and TGF- $\beta$  further comprising a pharmaceutically acceptable carrier" are free of the prior art. As noted *supra*, Applicants have amended Claims 60-62 to encompass the allowable subject matter.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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